THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 11474 of 1993

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Dated 10-02-2006

Between:

Dr.M.L.Nigam.

..... PETITIONER

AND

Union of India, rep.by the Secretary to the Government,
Department of Culture, Shastri Bhavan,
New Delhi & others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No. 11474 of 1993

O R D E R:

The only question which survives for consideration in this writ petition relates to payment of leave encashment due to the petitioner, consequent upon his retirement, the other retiral benefits i.e. provident fund having already been paid and the petitioner has been given provisional pension.

On a query from this Court as to whether the respondents were empowered, in law, to withhold the said amount, Sri R.S.Murthy, learned standing counsel for the respondents, on instructions, would fairly submit that the respondents were not entitled to do so. Learned counsel would inform the Court that he has advised the

respondents to forthwith release the leave encashment amounts due to the petitioner and would seek an upper limit of six weeks from today, for payment thereof. Learned counsel assures this Court that he would impress upon the respondents to release the amounts at the earliest and that the six week time which he seeks the outer limit.

Recording the submission of Sri R.S.Murthy, learned Standing counsel for the respondents, the writ petition is disposed of. There shall be no order as to costs.

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10-02-2006

usd